**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**ORDINARY ORIGINAL CIVIL JURISDICTION**

Notice of Motion No. 2895 of 2005
In
Appeal No. 834 of 2005
In
Chamber Summons No. 1273 of 2004
In
Execution Application No. 202 of 2004
In
Summary Suit No. 3690 of 2000

Mohammad Nabi Khan @ Mohamad Tarique Khan .. Appellants
(Orig. Plaintiff)

V/s.

M/s. Quba Enterprises & Ors. .. Respondents
(Orig. Defendant)

And

Swapna Surabi Co-operative Housing Society (Proposed) .. Respondent
(Orig. Applicant)

Mr. Girish Desai with Ms. Geeta Shastri i/b. Mr. S.P. Srivastava for the Appellants
Mr. A.A. Joshi i/b. Mr. B.G. Saraf for the Respondent No. 1.
Mr. S.D. Bhandhary for the Respondent No. 2 (a)

**CORAM : DR. S. RADHAKRISHNAN &**
**S.C. DHARMADHIKARI, JJ.**
**DATED : 24.10.2005.**

**P.C.:-**

1. Heard the learned counsel for the Appellants and the Respondents. In the above, the Appeal has already been admitted. By way of an interim relief, we restrain Swapna Surabi Co-operative Housing Society (Proposed)-Respondents/Original Applicants, to maintain status quo with regard to the unsold flats/shops till the disposal of the above Appeal. This order will not prevent the said Applicants from applying for an occupation certificate. Notice of Motion stands disposed of.

**(DR. S. RADHAKRISHNAN, J.)**

**(S.C. DHARMADHIKARI, J.)**